

REMARKS

Following entry of the amendment, claims 7, 8, 10-13, and 47-62 will be pending in this application.

The undersigned and the Examiner's supervisor, Andrew Fischer, have discussed this case on several occasions during August and September 2006. It was agreed that a claim based on a combination of the features of claims 1 and 7 would be favorably considered, provided that the preamble of claim 1 is moved into the body of the combined claim, and provided that the claim was amended to clarify that the term "license" refers to licensing data that is actually represented in a computer, rather than a mere legal abstraction. To this end, applicant has:

- canceled claim 1
- moved substantially the features of claim 1 into claim 7
- moved features from claim 1's preamble into the first element of claim 7
- throughout the claims, used the term "digital license" (instead of just license) to describe the type of license that is being recited

Although not required by the Examiner, applicant has made an additional amendment to the claims. The preamble of original claim 1 referred to "the first content package being usable only in accordance with a license", and then proceeded to refer to a "first license." In order to avoid confusion about which license is being discussed, this aspect of claim 1's preamble (which has been moved to the body of claim 7) now reads: "and wherein the first content package is usable only in accordance with one or more digital licenses, said first digital license being one of said one or more digital licenses." This change clarifies that the content package is usable only in accordance with some digital license, and the "first digital license" is one such license. This change is not intended to effect a change in substance; it is merely intended to further clarify this point in the claim language in the interest of furthering prosecution.

Applicants have retained certain dependent claims from the original application (with slight modifications to reflect the combinations of claims 1 and 7, and to make these claims consistent with the amendments summarized above). In particular, claims 8 and 10-13 have been retained, and made dependent on claim 7. Claims 47-51 are based on original claims 2-

6. These claims are patentable at least by virtue of dependency on claim 7. Also, pursuant to discussion with Examiner Fischer, applicants have added claims 52-62, which are computer-readable media versions of method claims 7, 8, 10-13, and 47-51, respectively, and each of the claims is patentably indistinct from its corresponding method claim.

Finally, applicants notes that claim 7 (and its computer-readable media version, claim 52) patentably define over the Stefik and Tadayon references applied in the last office action. At a minimum, these references as applied to not teach or suggest a combination of:

- a first digital license that specifies one or more terms governing the relicensing of the first content package
- the first digital license permits access to the first content package on a second computing device but not on the first computing device
- licensing the first content package for use on the first computing device in accordance with said one or more terms; and
- creating a second content package which comprises said content portion and a second digital license which permits access to said second content package on the first computing device.

Independent claim 52 is patentable for essentially the same reasons, and the remaining claims are patentable at least by reason of dependency.

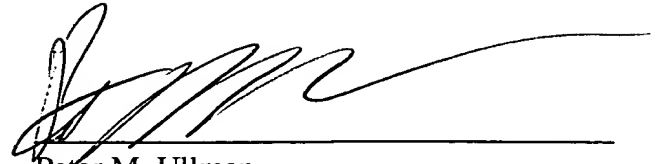
Applicants note that no interview summary appears to be required, but, to the extent that such a summary is determined to be required, the foregoing constitutes a full description of the discussions between the undersigned and Examiner Fischer, and constitutes whatever summary may be required under 37 C.F.R. § 1.133.

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PATENT

For the foregoing reasons, applicants submit that this case is now in condition for allowance.

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